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OFFICE OF PETITIONS

In re Application of
HOWARD
Application No.: 09/924,885
Filed: August 08, 2001
Attorney Docket No.: 5H01.1-021

DECISION ON PETITION

UNDER 37 CFR 1.137(b)

This is a decision on the petition under 37 CFR 1.137(b), filed June 14, 2005, to revive the above-identified application.

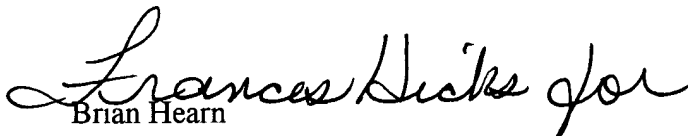
The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply within the meaning of 37 CFR 1.113 in a timely manner to the non-final Office action mailed March 17, 2004, which set a shortened statutory period for reply of three (3) months. Accordingly, by operation of law, and as indicated in the Office communication mailed May 17, 2005, the above-identified application became abandoned on June 18, 2004.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of a request for reconsideration and remarks; (2) the petition fee and (3) the required statement of unintentional delay have been received. Accordingly, the reply to the non-final Office action of March 17, 2004 is accepted as having been unintentionally delayed. Applicant is advised that the payment of a three-month extension of time fee is unnecessary and will be refunded to Deposit Account No.: 19-5127.

The application is being referred to Technology Center AU 2683.

Telephone inquiries concerning this decision should be directed to Derek A. Putonen at (571) 272-3294 or in his absence, the undersigned at (571) 272-3217


Brian Hearn
Petitions Examiner
Office of Petitions